

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-1607

United States of America,

Appellee,

v.

Robert Taylor Marlow,

Appellant.

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* Appeal from the United States
* District Court for the
* Eastern District of Missouri.
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* [UNPUBLISHED]
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Submitted: July 26, 1999

Filed: August 2, 1999

Before McMILLIAN, RICHARD S. ARNOLD, and HANSEN, Circuit Judges.

PER CURIAM.

Robert Taylor Marlow appeals the sentence imposed by the district court¹ upon revocation of his supervised release. He argues that it is an ex post facto violation to apply 18 U.S.C. § 3583(h) to a defendant who was originally convicted and sentenced prior to its effective date, but whose supervised release was revoked after its effective date. We have previously held that these circumstances do not constitute an ex post facto violation. See United States v. St. John, 92 F.3d 761, 762, 767 (8th Cir. 1996).

¹The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.